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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **DEX-0172**

Inventors: **Salceda et al.** #1

Serial No.: **09/763,978**

Filing Date: **February 28, 2001**

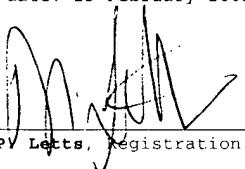
Examiner: **Not Yet Assigned**

Group Art Unit: **Not Yet Assigned**

Title: **A Novel Method of Diagnosing,
Monitoring, Staging, Imaging and
Treating Various Cancers**

I, **Nathan P. Letts**, Registration No. **36,581**, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.

On this date: 15 February 2002



Nathan P. Letts, Registration No. 36,581

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-



identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

() In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

() Certification in Accordance with §1.97(e) is set forth below; or

() The fee of \$180.00 as set forth in §1.17(p) is attached.

() In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).

(xx) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

() In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed

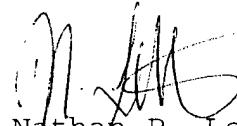
, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

(xx) Due to the large size of some references, only relevant portions have been submitted. The included portions are as follows: WO 99/63088 A2 (pages 1-508, figures 207-208, priority data); WO 00/735454 A1 (pages 1-591, figures 207-208, International Search Report); WO 00/78961 A1 (pages 1-319, 341-538, figures 45-46, International Search Report). Full text of abbreviated reference is available if requested.

(xx) Reference JP 11032768 A is in a foreign language and only the front page was available. Therefore, a Geneseq Patent search report is attached to demonstrate relevance.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0434. This form is submitted in duplicate.

Respectfully submitted,



Nathan P. Letts
Registration No. 36,581

Date: 15 February 2002

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

| | |
|------------------------|-------------------|
| Serial Number | 09/13,978 |
| Filing Date | February 28, 2001 |
| Applicant | Salceda et al. |
| Group Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | DEX-0172 |

OIR
FEB 27 2001
PATENT & TRADEMARK OFFICE

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. | Author, title of the article, title of the item, volume-issue number, page(s), date. | Translation/Comments |
|-------------------|----------|---|----------------------|
| | AW | Gress et al., Identification of genes with specific expression in pancreatic cancer by cDNA representational difference analysis, Genes Chromosomes Cancer, 19 (2), pp. 97-103 (1997). | |
| | AX | Wallrapp et al., A novel transmembrane serine protease (TMPRSS3) overexpressed in pancreatic cancer, Cancer Research, vol. 60 (10), pp. 2602-2606 (2000). | |
| | AY | Database Genebank, Accession No. U54603, Gress et al., HSU54603 Human pancreatic cancer (Cwallrapp) Homo sapiens cDNA clone rda12, mRNA sequence, 18 Nov 1997, see sequence. | |
| | AZ | Database Genebank, Accession No. AP000665, Hattori et al., Homo sapiens genomic DNA, chromosome 11q clone:CMB9-46G18, complete sequences, 22 Feb 2001, see sequence. | |
| | BA | Database Genebank, Accession No. AP002800, Hattori et al., Homo sapiens genomic DNA, chromosome 11q clone:RP11-832A4, complete sequences, 18 July 2001, see sequence. | |
| | BB | Database Genebank, Accession No. XM_006448, NCBI Annotation Project, Homo sapiens transmembrane protease, serine 4 (TMPRSS4), mRNA, 16 Oct 2001, see sequence. | |
| | BC | Database Genebank, Accession No. BC011703, Strausberg, R., Homo sapiens, Similar to mosaic serine protease, clone MGC:19490 Image:3610695, mRNA, complete cds, 02 Aug 2001, see sequence. | |
| | BD | Database Genebank, Accession No. AF216312, Smeekens et al., Homo sapiens type II membrane serine protease mRNA, complete cds, 07 Feb 2000, see sequence. | |
| | BE | Database Genebank, Accession No. AF179224, Wallrapp et al., Homo sapiens transmembrane serine protease 3 (TMPRSS3) mRNA, complete cds, 08 Jun 2000, see sequence. | |

Examiner Signature

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

| | |
|----------------|-------------------|
| Serial Number | 09/763,978 |
| Filing Date | February 28, 2001 |
| Applicant | Salceda et al. |
| Group Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |

Attorney Docket Number DEX-0172

FEB 27 2002

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----------|-----------------|--------------------------------|--|-------|----------|---------------------------|
| Examiner Initials* | Cite No. | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Class | Subclass | Filing Date MM-DD-YYYY |
| | AA | US 5,733,738 | 03/31/1998 | Niman, Henry L. | | | 04/07/1995 |
| | AB | US 5,939,258 | 08/17/1999 | Croce et al. | | | 12/12/1996 |
| | AC | 09/216,003 | 06/22/2000 | Mitcham et al. | | | 12/17/1998 |
| | AD | 60/138,625 | 12/21/2000 | Komatsoulis et al. | | | 06/11/1999 |
| | AE | 08/972,376 | 05/27/1999 | Cohen et al. | | | 11/18/1997 |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Class | Subclass | Translation/ Comments |
|--------------------|----------|-------------------------|--------------------------------|---|-------|----------|------------------------------------|
| | AF | EP 1 033 401 A2 | 09/06/2000 | Dumas Milne Edwards et al. | | | |
| | AG | JP 9149790 A | 06/10/1997 | Nobuo et al. | | | Front Page w/ Geneseq Report |
| | AH | WO 97/24435 A1 | 07/10/1997 | FU et al. | | | |
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| | AL | WO 99/36550 A2 | 07/22/1999 | BANDMAN et al. | | | |
| | AM | WO 99/63088 A2 | 12/09/1999 | BAKER et al. | | | Abbreviated |
| | AN | WO 00/12708 A2 | 03/09/2000 | BAKER et al. | | | |
| | AO | WO 00/12758 A1 | 03/09/2000 | SALCEDA et al. | | | |
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| | AQ | WO 00/55629 A2 | 09/21/2000 | MACK et al. | | | |
| | AR | WO 00/55633 A2 | 09/21/2000 | MACK et al. | | | |
| | AS | WO 00/73454 A1 | 12/07/2000 | ASHKENAZI et al. | | | Abbreviated |
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| | AU | WO 00/78960 A2 | 12/28/2000 | YUQIU et al. | | | |
| | AV | WO 00/78961 A1 | 12/28/2000 | BAKER et al. | | | Abbreviated |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.